

COUNTY OF YORK

MEMORANDUM

DATE: April 25, 2001 (BOS Mtg. 5/15/01)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. UP-576-01, Craig Rountree Building & Remodeling

ISSUE

This application requests a special use permit, pursuant to Section 24.1-407(c) of the York County Zoning Ordinance, to authorize an attached accessory apartment in conjunction with a single-family detached dwelling on property located at 111 Chismans Point Road and further identified as Assessor's Parcel No 25M-(1)-3.

DESCRIPTION

- Property Owner: John M. Padgett, Et Ux
- Location: 111 Chismans Point Road
- Area: 23, 270 square feet
- Frontage: Approximately 50 feet on Chismans Point Road
- Utilities: Public water and septic system
- Topography: Flat
- 2015 Land Use Map Designation: Low-Density Residential
- Zoning Classification: RR-Rural Residential
- Existing Development: Single family detached home
- Surrounding Development:
 - North: Single family detached home
 - East: Chisman Creek
 - South: Single family detached home
 - West: Single family detached home
- Proposed Development: Attached accessory apartment (800 square feet)

CONSIDERATIONS/CONCLUSIONS

1. Accessory apartments are permitted as a matter of right in the RR zoning district, but because the proposed size of the accessory apartment exceeds the limits prescribed in Section 24.1-407(c) of the Zoning Ordinance (450 square feet or 25% of the total floor area of the principal dwelling, whichever is less), a special use permit is required. The Comprehensive Plan designates this area for low-density single-family residential uses.
2. The homeowner's existing house is approximately 2,340 square feet and backs up to Chisman Creek. On the north side of the house, the applicant wishes to build an attached accessory apartment that would serve as a permanent living area for the homeowner's mother (see attached sketch plans). An addition to the house is currently under construction excluding the installation of kitchen facilities. The proposed apartment would include a living area, bedroom, kitchen, and bathroom. According to the applicant's current building plans, the total area of the accessory apartment would be approximately 800 square feet, which represents 34% of the size of the principal dwelling. Since room additions are permitted by right, the applicant was authorized to begin construction with the understanding that prior to the addition of kitchen facilities, a use permit application must be approved by the Board (kitchen facilities are what typically distinguish a room(s) addition from an accessory apartment). The applicant is constructing the addition with the agreement that if the use permit were denied the addition would not be used as an accessory apartment.
3. Performance standards for accessory apartments are set forth in Section 24.1-407 of the Zoning Ordinance. These limit the maximum number of accessory apartments to one per single-family detached dwelling, require adequate provisions for off-street parking (which should not be a problem in this case since the apartment will have a garage), require occupancy only by family members or guests of the occupant of the principal dwelling, and prohibit the apartment from being rented separate from the principal dwelling. These standards have been included in the approving resolution.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its regular meeting on April 11, 2001 and, subsequent to holding a public hearing, voted 6:1 to recommend approval. Ms. White cast the dissenting vote. Other than the applicant, no citizens spoke during the public hearing.

RECOMMENDATION

I am of the opinion that the subject parcel can accommodate the proposed accessory apartment with no adverse impacts on adjacent properties or County infrastructure. Therefore, I recommend that the Board of Supervisors approve this application through the adoption of proposed Resolution No. R01-87.

Carter/3337
Attachments

- Excerpts of unapproved minutes, PC meeting 4/11
- Zoning Map
- Site Map
- Floor plans and building elevations

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- Proposed Resolution No. R01-87

Copy to: Craig Rountree Building & Remodeling
 Helen Padgett